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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In the Application of: Takahiro Nakajima, et al.
Group Art Unit: 1755
Application No.: 09/830,223
Examiner: J.W. Pasterczyk
Filed: November 18, 2003
Docket No.: 11197/5
For: POLYMERIZATION CATALYST FOR POLYMER
PRODUCTION, POLYESTER AND PROCESS FOR
PRODUCING POLYESTER

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). The paragraphs marked below (X) are applicable. It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to deposit account 11-0600.

X 1. This Information Disclosure Statement is being filed (a) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), (b) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, (c) before the mailing date of a first Office Action on the merits in the present application, OR (d) before the mailing of a first office action after filing of a request for continued examination. No certification or fee is required.

☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a final action, Notice of Allowance, or any action that otherwise closes prosecution.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

☐ c. Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 CFR §1.97(c)(2).

☐ 3. This Information Disclosure Statement is being filed after the mailing date of a final action, Notice of Allowance or an action that otherwise closes prosecution, but before payment of the Issue Fee. Applicant(s) hereby request(s) that the Information Disclosure Statement be considered. Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the petition fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in any counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

☐ 4. Relevance of the non-English language reference(s) is discussed in the present specification.

☐ 5. Some of the references were cited in counterpart foreign applications. English language versions of the following foreign Office Actions are enclosed for the Examiner's information.

☐ 6. A concise explanation of the relevance of the non-English language reference(s) appears in the Appendix attached hereto.

☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination of the present application.

☐ 8. This application is one of a series of related applications, identified in the attached Appendix, which are directed to related technical subject matter. The identification of those U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during the examination.

☐ 9. The reference(s) was/were cited by or submitted to the Office in parent application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. §120. Thus, copies of these references are not attached. 37 CFR §1.98(d).

☒ 10. English-language Abstracts of the non-English language references are attached hereto.

☐ 11. Since this application was filed after June 30, 2003, copies of U.S. references are not included.

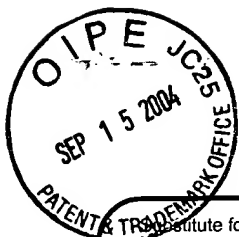
☒ 12. The Examiner's attention is directed to co-pending U.S. Patent Application Nos. 10/049,438, 10/186,634, 10/169,491, and 10/363,648, which are directed to related technical subject matter. Copies of the Specifications and Claims of these co-pending U.S. applications are enclosed (see cite nos. 3-6). Some of the claims in these co-pending U.S. applications might have been rejected. Provided herein are Copies of the Office Action dated March 22, 2004 of Application No. 10/049,438, filed May 30, 2002; Office Action dated April 22, 2004 of Application No. 10/169,491, filed July 3, 2002; and Office Action dated July 11, 2003 of Application No. 10/186,634, filed July 2, 2002. If any fees are required in relation to this IDS, please charge Deposit Account No. 11-0600.

Respectfully submitted,
KENYON & KENYON

Date: September 15, 2004

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/830,223	
			Filing Date	November 18, 2003	
			First Named Inventor	Takahiro NAKAJIMA et al.	
			Group Art Unit	1755	
			Examiner Name	J. W. Pasterczyk	
Sheet	1	of	1	Attorney Docket Number	11197/5

U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Number - Kind Code ² (if known)				
	1	US 5,770,682	06-23-1998	Ohara et al.		
FOREIGN PATENT DOCUMENTS						
Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	1	JP 2000-302854	10-31-2000	TOYOBO CO LTD		PARTIAL ENGLISH TRANSLATION
	2	CA 2,253,515	03-24-1998	TORAY IND INC		
	3	The specification and claims of U.S. Application No. 10/049,438, filed 05/30/02				
	4	The specification and claims of U.S. Application No. 10/186,634, filed 07/02/02				
	5	The specification and claims of U.S. Application No. 10/169,491, filed 07/03/02				
	6	The specification and claims of U.S. Application No. 10/363,648, filed 03/04/03				
	7	English translation of International Search Report of PCT/JP99/05866, January 25, 2000				

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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